

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MAURICE McGEE,

Petitioner,

v.

ELVIN VALENZUELA, Warden,

Respondent.

No. C 14-0974 NC (PR)

**ORDER GRANTING EXTENSION OF
TIME TO PAY FILING FEE**

On March 3, 2014, Petitioner, a state prisoner proceeding pro se, filed a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254. The Clerk sent Petitioner a notice that he had not paid the \$5.00 filing fee or filed an application to proceed in forma pauperis (“IFP”). Petitioner filed an IFP application on March 27, 2014. However, the attached Certificate of Funds showed that he has sufficient funds to pay the \$5.00 filing fee for a habeas action. The Court, by order issued May 13, 2014, therefore directed Petitioner to pay the \$5.00 filing fee on or before June 30, 2014.

On June 20, 2014, the Court received a “Trust Account Withdrawal Order” The withdrawal order is a prison form used to request that a check be sent to an outside recipient. In his form Petitioner asks for a five-dollar withdrawal, which he says is for “payment for federal habeas corpus appeal” fee, and asks that it be sent to this Court. The form itself evidently was sent to the Court in error, rather than a check. There is no way to know whose fault this is, but in any case Petitioner still has not paid the fee. Accordingly, Petitioner must pay the requisite \$5.00 filing fee in this action no later than twenty-eight (28) days from the date of this order. He must include with his payment a clear indication that it is for the above-referenced case number, C 14-0974 NC (PR).

1 **Failure to pay the filing fee within the twenty-eight-day deadline shall result in**
2 **dismissal of this action without further notice to Petitioner.**

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4 IT IS SO ORDERED.

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6 DATED: July 2, 2014

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8 NATHANAEL M. COUSINS
9 United States Magistrate
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United States District Court
For the Northern District of California